

United States Bankruptcy Court
District of Maryland

In re:
Alberto Cross, Sr.
Debtor

Case No. 12-27927-WIL
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0416-0

User: rheberle
Form ID: pdfparty

Page 1 of 1
Total Noticed: 2

Date Rcvd: Sep 24, 2014

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 26, 2014.

db +Alberto Cross, Sr., 13110 Fox Hall Drive, Silver Spring, MD 20906-5362

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
+E-mail/Text: ustpreion04.gb.ecf@usdoj.gov Sep 24 2014 19:49:21 US Trustee, 6305 Ivy Lane,
Suite 600, Greenbelt, MD 20770-6305

TOTAL: 1

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 26, 2014

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 24, 2014 at the address(es) listed below:

Alon Nager alon@nagerlaw.com, nagerecf@gmail.com
Christina M. Williamson christina.williamson@bww-law.com, bankruptcy@bww-law.com
H. Tucker Dewey tdewey@deweylawfirm.com
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Michael Patrick Coyle mcoyle@chaifetzandcoyle.com, bjanney@chaifetzandcoyle.com

TOTAL: 7

Signed: September 24, 2014

DENIED

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
(Greenbelt Division)**

In re: *

Alberto Cross *

Debtor *

* * * * *



Wendelin I. Lipp

**WENDELIN I. LIPP
U. S. BANKRUPTCY JUDGE**

**MOTION TO WAIVE FILING FEE AND TO
DEBTOR'S MOTION TO RECONSIDER AMENDED ORDER DISMISSING CASE**

COMES NOW, the above-named Debtor, by and through his undersigned counsel, and respectfully moves the Court pursuant to Section 350(b) of Title 11 of the United States Code, Rule 9024 of the Rules of Bankruptcy Procedure and Rule 60 of the Federal Rules of Civil Procedure for the entry of an order to reopen this case in order to have the Court review and decide the Debtor's Motion to Reconsider Amended Order Dismissing Case, and states:

1. On October 1, 2012 (the "Petition Date"), the Debtor filed a chapter 13 bankruptcy petition (case #12-27927) in the United States Bankruptcy Court for the District of Maryland Greenbelt Division. The case was converted to Chapter 7 on May 22, 2014.
2. The Debtor's case was dismissed because he failed to appear for the 341 Meeting of Creditors scheduled on July 1, 2014.
3. The 341 Meeting of Creditors was rescheduled which the Motion to Dismiss was pending. However, the Debtor did not receive notice of the new date and was out of the country during that time (see Motion to Reconsider and Support Document at doc. #98 and 100).
4. The Court originally entered an Order Dismissing Case at doc. #88. That Order does not bar the Debtor from refiling for any length of time.
5. The Order was later amended on September 3, 2014 to bar the Debtor from refiling for 180 days.
6. The case was closed on the same date.
7. The Debtor contacted his former counsel, the undersigned, regarding this issue.
8. The Debtor promptly filed a Motion to Reconsider at doc. #98 and a Support Document at #100.
9. Since the case was already closed, the Court has not considered the Motion, even though it was filed in a timely manner under the Federal Rules of Bankruptcy Procedure.

10. The Court should not have closed the case until the Debtor's time to file a Motion to Reconsider had run.

11. The Debtor should not be charged a filing fee to reopen the case because it should not have been closed.

12. The Debtor cannot afford to pay the filing fee because he was injured and has little income now, which is why his case was converted in the first place.

13. If the Debtor must refile, he will have to wait a length of time during which creditors will harass him and may garnish his bank accounts.

14. He will also incur additional fees and expenses for refiling.

WHEREFORE, The Debtor alleges that it would be in the interest of justice to reopen this case and allow the Debtor to have the Court reconsider the dismissal of the case, and for such additional relief as the Court may deem just and proper.

Dated: September 23, 2014

NAGER LAW GROUP, LLC

/s/ Alon J. Nager

Alon J. Nager (28551)

5850 Waterloo Road, Suite 140

Columbia, Maryland 21045

Tel: 443-701-9669

alon@nagerlaw.com

Attorney for Debtor

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of September 2014, a copy of the foregoing Motion for Order Reopening Case was sent, first class, postage-prepaid or electronically to the following:

Via electronic service to:

Alon J. Nager, Esq., on behalf of the Debtor
Chapter 7 Trustee

/s/ Alon J. Nager

Alon J. Nager, Bar No. 28551